



ARIZONA STATE SENATE
Fifty-Second Legislature, Second Regular Session

FACT SHEET FOR H.B. 2130

municipalities; counties; energy use; reporting

Purpose

Repeals and reinserts statute relating to the prohibition on cities, towns and counties from requiring certain energy usage and consumption reports.

Background

Laws 2015, Chapter 271 prohibits cities, towns and counties from: 1) requiring energy usage and consumption reports from an owner, operator or tenant of a business, commercial building or multi-family housing property; and 2) regulating the sale, use or disposition of auxiliary containers by an owner, operator or tenant of a business, commercial building or multi-family housing property.

In September 2015, a lawsuit was filed against the state alleging the legislation violates the single-subject provision and the title requirements of the Arizona State Constitution by: 1) combining several different subjects into one bill; 2) failing to state the subject matter in the title; and 3) the Legislature dictating matters of local concern to charter cities in the state (*Kuby v. Arizona*).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Repeals statute prohibiting cities, towns and counties from requiring an owner, operator or tenant of a business, commercial building or multi-family housing property to measure and report energy usage and consumption and reinserts it into a separate section of statute.
2. Specifies that this section does not prohibit cities, towns or counties operating an electric or gas utility from metering or measuring energy deliveries, usage and consumption in the course of providing utility service.
3. Becomes effective on the general effective date.

House Action

COM	1/27/16	DPA	5-3-0-0
3 rd Read	2/10/16		35-24-1-0

Prepared by Senate Research
 February 18, 2016
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